

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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FREEDOM FROM RELIGION FOUNDATION, INC.,

Plaintiff,

v.

Case No.: 08-CV-1105

MANITOWOC COUNTY, WISCONSIN  
BOB ZIEGELBAUER, Manitowoc County Executive,  
And JEFFREY BEYER, Manitowoc County  
Public Works Director,

Defendants.

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**FREEDOM FROM RELIGION FOUNDATION'S MOTION FOR SUMMARY  
JUDGMENT**

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Pursuant to Fed. R. Civ. 56, the plaintiff, Freedom From Religion Foundation ("FFRF"), moves for an order granting them summary judgment declaring that Manitowoc County violates the Establishment Clause of the First Amendment by allowing the annual display of a crèche on the lawn of the Manitowoc County Courthouse. The plaintiff also moves the Court to enjoin the defendants from promoting, advancing, or endorsing the establishment of religion by public displays of religious symbols that given the appearance of government sponsorship of religion, and awarding the plaintiff its reasonable costs, disbursements and attorneys fees as allowed by law, pursuant to 42. U.S.C. §1988.

The grounds for this motion are that there is no genuine issue as to any material fact and the plaintiffs are entitled to judgment as a matter of law. This motion is based upon and supported by the pleadings and papers on file in this action and the brief, declarations and affidavits that accompany this motion for summary judgment. Filed with this motion for summary judgment are FFRF's Proposed Findings of Fact.

Dated this 30<sup>th</sup> day of September, 2009.

/s/ Rebecca S. Kratz

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